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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/629,717

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Dae-Gyu Bae

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SUGHRUE MION, PLLC
2100 PENNSYLVANIA AVENUE, N.W.
SUITE 800
WASHINGTON, DC 20037

EXAMINER

DUFFIELD, JEREMY S

ART UNIT

PAPER NUMBER

2427

NOTIFICATION DATE

DELIVERY MODE

11/04/2009

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

SUGHRUE@SUGHRUE.COM
USPTO@SUGHRUE.COM

<p align="center">Advisory Action Before the Filing of an Appeal Brief</p>	<p>Application No. 10/629,717</p>	<p>Applicant(s) BAE ET AL.</p>	
	<p>Examiner JEREMY DUFFIELD</p>	<p>Art Unit 2427</p>	

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 13 October 2009 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☐ The period for reply expires _____ months from the mailing date of the final rejection.
b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
(a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);
(b) ☐ They raise the issue of new matter (see NOTE below);
(c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
(d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☐ Applicant's reply has overcome the following rejection(s): _____.
6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☒ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
The status of the claim(s) is (or will be) as follows:
Claim(s) allowed: _____.
Claim(s) objected to: _____.
Claim(s) rejected: 1,3-6,8-17,19-22 and 24-37.
Claim(s) withdrawn from consideration: _____.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:
See Continuation Sheet.
12. ☐ Note the attached Information *Disclosure Statement*(s). (PTO/SB/08) Paper No(s). _____.
13. ☐ Other: _____.

/Scott Beliveau/
Supervisory Patent Examiner, Art Unit 2427

Continuation of 11. does NOT place the application in condition for allowance because: In response to applicant's arguments that the given references do not teach "a reference clock...and reception locations", Page 15, lines 24-27, the examiner respectfully disagrees. Piotrowski teaches the generation and transmission of multimedia documents based on a scheduled time. For instance, a user is watching a television show and supplemental multimedia information automatically displays in a "pop-up". The SMIL documents are synchronized through the use of time codes transmitted to the client with the data. The documents include the synchronization data for the supplemental multimedia information so that when a scheduled time is reached the multimedia is automatically displayed (Para. 24, 30-40). Blackketter and Eng both teach periodically generating and transmitting reference clock values in order to maintain synchronization between a server or head-end and a receiver. Therefore, the aforementioned limitation is taught by the given references.

In response to applicant's arguments that the given references do not teach "a multimedia document...reference clock value", Page 16, lines 1-3, the examiner respectfully disagrees. Piotrowski teaches the generation and transmission of multimedia documents based on a scheduled time. For instance, a user is watching a television show and supplemental multimedia information automatically displays in a "pop-up". The SMIL documents are synchronized through the use of time codes transmitted to the client with the data. The documents include the synchronization data for the supplemental multimedia information so that when a scheduled time is reached the multimedia is automatically displayed (Para. 24, 30-40). The document and media has to be generated and transmitted at a scheduled time in order for the data to be displayed properly and in sync with the television program. Furthermore, Piotrowski teaches the media components of the SMIL document are scheduled for presentation either in parallel or in sequence. Therefore, the aforementioned limitation is taught by the given references.

In response to applicant's arguments that the given references do not teach "a media data...generated multimedia document", Page 16, lines 16-17, the examiner respectfully disagrees. Piotrowski clearly teaches building a SMIL multimedia document using various types of multimedia files. The SMIL document can be composed of images, text, audio, and video with URLs (Para. 24-25, 30-38). Therefore, the aforementioned limitation is taught by the given references.

In response to applicant's arguments that the given references teach "the video/TV program corresponds to the 'media data' in claim 1", Page 17, lines 21-22, the examiner respectfully disagrees. As stated and cited above, Piotrowski clearly states building a SMIL multimedia document using various types of multimedia files. For instance, a user is watching a television show and supplemental multimedia information automatically displays in a "pop-up". As one can see, the TV program and the supplementary content are separate files.

In response to applicant's arguments that the given references do not teach "generat[ing] and separately transmit[ing] a clock value for any information or data", Page 17, lines 23-24, the examiner respectfully disagrees. Piotrowski clearly teaches the transmission of time codes. Inasmuch as the time codes being "separately" transmitted, this limitation is not included in the independent claim. Regardless, though, Blackketter and Eng both teach periodically generating and separately transmitting reference clock values.

In response to applicant's arguments that the given references teach "one-way broadcasting", page 18, lines 1-2, the examiner respectfully disagrees. Piotrowski clearly teaches a user viewing supplementary multimedia information and subsequently interacting with the supplementary data (Para. 35-36, 41). The claims do not state any type of "interactive" or two-way broadcasting.